

ASSEMBLY BILL

No. 1717

Introduced by Committee on Agriculture (Parra (Chair), La Malfa (Vice Chair), Berryhill, Dymally, Fuller, Galgiani, Jones and Mendoza)

March 5, 2007

An act to amend Section 13000 of the Food and Agricultural Code, relating to pesticides.

LEGISLATIVE COUNSEL'S DIGEST

AB 1717, as introduced, Committee on Agriculture. Pesticides.

Existing law requires that any action brought for various violations of provisions of law and regulations regarding pesticides be commenced within 2 years of the occurrence of the violation, with specified exceptions, including actions brought to collect civil penalties imposed pursuant to specified provisions of law, which shall be brought within 4 years of the occurrence of the violation.

This bill would include among actions that shall be brought within 4 years of the violation, actions brought to collect civil penalties for violations of provisions of law prohibiting sale of any adulterated or misbranded pesticide.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 13000 of the Food and Agricultural Code
2 is amended to read:

1 13000. (a) Except as provided in subdivisions (b) and (c), an
2 action brought pursuant to this article shall be commenced by the
3 director, the commissioner, the Attorney General, the district
4 attorney, the city prosecutor, or the city attorney, as the case may
5 be, within two years of the occurrence of the violation.

6 (b) When a commissioner submits a completed investigation to
7 the director for action by the director or the Attorney General, the
8 action shall be commenced within one year of that submission.
9 However, nothing in this subdivision precludes the director from
10 returning the investigation to the commissioner for action to be
11 commenced by the commissioner, the district attorney, the city
12 prosecutor, or the city attorney, as provided in subdivision (a).

13 (c) An action brought by the director to collect unpaid mill
14 assessments and delinquent fees required by Article 4.5
15 (commencing with Section 12841) or an action brought by the
16 director to collect civil penalties pursuant to Section 12999.4 for
17 violations of Article 4.5 (commencing with Section 12841), *Section*
18 *12992*, Section 12993, or Section 12995 shall be commenced
19 within four years of the occurrence of the violation.